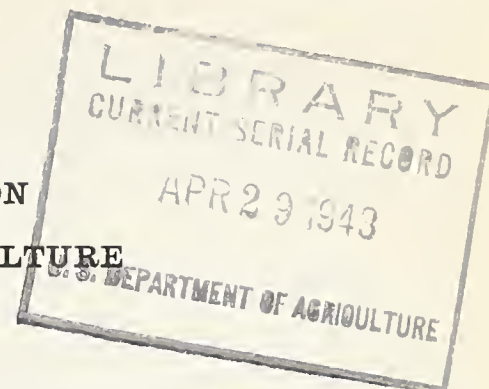


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MARCH 19, 1943

FOOD DISTRIBUTION ADMINISTRATION
UNITED STATES DEPARTMENT OF AGRICULTURE



[FDO 33]

PART 1460—FATS AND OILS

REQUIRED RECOVERY OF GLYCERINE

Pursuant to the authority vested in me by Executive Order No. 9280, dated December 5, 1942, and to assure an adequate supply and efficient distribution of glycerine to meet war and essential civilian needs, *It is hereby ordered*, As follows:

§ 1460.2 *Glycerine recovery*—(a) *Definitions*. When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent thereof:

(1) The term "fats and oils" means all of the raw, crude, and refined fats and fatty oils and greases.

(2) The term "neutral fats or oils content" means that saponifiable portion of fats or oils at point of saponification or hydrolysis obtained by subtracting from the total weight of such fats and oils the sum of the following: free fatty acids, moisture, insoluble impurities, and unsaponifiables. Free fatty acids, moisture, insoluble impurities, and unsaponifiables shall be determined by the official methods of the American Oil Chemists Society.

(3) The term "fair average quality crude glycerine" means soap lye crude glycerine and saponification crude glycerine meeting the following specifications:

Soap lye crude glycerine:

Glycerol content—not less than 80%

Ash—not more than 10%

Organic Residue—not more than 2%

Saponification crude glycerine:

Glycerol content—not less than 88%

Ash—not more than 2%

Organic Residue—not more than 1.5%

Glycerol content, ash, and organic residue shall be determined by the official methods of the American Oil Chemists Society.

(4) The term "person" means any individual, partnership, corporation, association, or other business entity.

(5) The term "Director" means the Director of Food Distribution, United States Department of Agriculture, or any employee of the United States Department of Agriculture designated by such Director.

(b) *Required recovery of crude glycerine*. (1) Except as provided in paragraph (d) hereof, no person shall sapon-

ify or hydrolyze any fat or oil in any process in which glycerine is produced unless:

(i) Where glycerine is produced by the saponification of the fats and oils (soap making), the average amount of glycerol (both free and combined) remaining in the finished product, not considering glycerine produced from commercial fatty acids or vegetable oil foots, shall not be more than eight-tenths of one percent (0.8%), calculated on the anhydrous soap basis of that portion of the soap which is derived from fats and oils defined under paragraph (a) (1) hereof, but exclusive of any portion of the soap which may be made from rosin, commercial fatty acids, vegetable oil foots, and tall oil, and

(ii) Not less than 92% of the glycerol content of the spent lyes shall be recovered as crude glycerine (100% glycerol basis). The glycerol content of such spent lyes shall be considered to be the glycerol theoretically contained in the neutral fats or oils content of the stock originally used less the maximum amount of glycerol permitted in the soap.

(iii) Where the glycerine is produced by the hydrolysis of fats or oils (fat splitting), the split shall be not less than 95% complete. Not less than 94% of the glycerol content of the glycerine sweet water resulting from such splitting process shall be recovered as crude glycerine (100% glycerol basis). The glycerol content of such sweet water shall be considered to be the glycerol theoretically contained in the neutral fat or oil content of the stock originally used, less the maximum permitted amount (based on 95% split) of glycerol contained in the split fat or oil.

(c) *Required standard of refining crude glycerine*. In the refining of fair average quality crude glycerine, not less than 96% of the glycerol content of the crude glycerine shall be recovered as refined glycerine (100% glycerol basis).

(d) *Operations not subject to standard of glycerine recovery*. The provisions of paragraph (b) hereof shall not be applicable to:

(1) Any person whose consumption of fats and oils or fatty acids in the aggregate does not exceed 10,000 pounds in the calendar month;

(2) Any person whom the Director may specifically authorize to operate, on such person's establishing to the sat-

isfaction of the Director, by letter addressed to: Director of Food Distribution, United States Department of Agriculture, Washington, D. C., Ref: FD 33, that he is recovering the maximum amount of glycerine that is reasonably possible with the facilities which he has or may reasonably be expected to secure or utilize;

(3) The sulfonation of any fats and oils, alkali or acid refining of fats or oils, manufacture of lubricating greases or processing of food;

(4) The manufacture of the following medicinal squaps U. S. P. XII to fill orders for medicinal use only; saponis mollis medicinalis, linimentum saponis mollis, liquor cresolis saponatus; and the manufacture of soft soap, hospital grade, according to United States Army specification No. 4-1027A (February 5, 1941) for delivery to the United States Army.

(5) The manufacture of soap or fatty acids from raw or acidulated domestic vegetable oil foots.

(e) *Records and reports*. (1) Each refiner of glycerine, regardless of amount, and each person who saponifies or hydrolyzes more than 3,500 pounds of oils, fats, or fatty acids in any calendar or fiscal month in a process in which glycerine could be recovered (not including any operation referred to in paragraph (d) (3) hereof) shall file with the Director of Food Distribution, United States Department of Agriculture, Washington, D. C., Ref: FD 33, not later than the 20th day of the succeeding month, War Production Board Form PD-712, or such other form or forms as may be prescribed by the Director, properly executed by him. Such form PD-712 shall be filed by each person who saponifies or hydrolyzes more than such 3,500 pounds of oils, fats, and fatty acids in such month, whether or not he is exempted under paragraphs (d) (1), (d) (2), (d) (4), or (d) (5) hereof.

(2) Where a person is both a manufacturer and refiner, he shall file a separate form in each capacity.

(3) Every person subject to this order shall maintain such records for at least two years (or for such other periods of time as the Director may designate), and shall execute and file such other reports upon such forms and submit such information as the Director may from time

to time request or direct, and within such times as he may prescribe.

(f) *Bureau of the Budget approval.* The reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Subsequent specific record-keeping or reporting requirements which may be prescribed by the Director will be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(g) *Existing contracts.* The restrictions of this order concerning the recovery of glycerine shall be observed without regard to existing contracts or any rights accrued or payments made thereunder.

(h) *Effect on other orders.* Where different standards of recovery are imposed by this order and any other order or orders, the provisions of the order requiring the highest glycerine recovery shall control.

(i) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship upon him may petition in writing (in triplicate) for relief to the Director, setting forth all pertinent

facts and the nature of relief sought. The Director may thereupon take such action as he deems appropriate and such action shall be final.

(j) *Violations.* Any person who willfully violates any provisions of this order or who by any act or omission falsifies records to be kept or information to be furnished pursuant to this order or willfully conceals a material fact concerning a matter within the jurisdiction of any Department or agency of the United States may be prohibited from receiving or making further deliveries of any material subject to allocation; and such further action may be taken against him as the Director deems appropriate, including recommendations for prosecution under Section 35a of the Criminal Code (18 U. S. C. 1940 ed. 80), under paragraph 5 of Section 301 of Title III of the Second War Powers Act, and under any and all other applicable laws.

(k) *Audits and inspections.* Every person subject to this order shall, upon request, permit inspections, at all reasonable times, of his stocks of glycerine and premises used in his business, and all of his books, records, and accounts shall, upon request, be submitted to audit and inspection by the Director.

(l) *Communications to the Department of Agriculture.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: Director of Food Distribution, United States Department of Agriculture, Washington, D. C., Ref: FD 33.

(m) *Conservation Order M-193 superseded.* This order supersedes in all respects Conservation Order M-193 (7 F.R. 9128) of the War Production Board, except that as to violations of said order or rights accrued, liabilities incurred, or appeals taken under said order prior to the effective date hereof, said Conservation Order shall be deemed in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability. Any appeal pending under said Conservation Order shall be considered under paragraph (i) hereof.

(n) *Effective date.* This order shall be effective as of the 24th day of March, 1943, at 12:01 a. m., e. w. t.

(E.O. 9280, 7 F.R. 10179)

Issued this 19th day of March 1943.

[SEAL] PAUL H. APPLEBY,
Acting Secretary of Agriculture.

Press Release—Immediate:
Monday March 22, 1943.

Providing for more glycerine for explosives and other military uses the Secretary of Agriculture today issued Food Distribution Order No. 33, replacing War Production Board Order M-193. The order, effective March 24, affecting soap and glycerine refining industries, reduces the permitted glycerine content of popular soaps to $\frac{4}{5}$ of 1 percent.

Glycerine is a normal by-product of modern commercial soap makers and a low glycerine content is typical of highly refined soap.

Under the previous order, soap makers were permitted to leave as much as 1 percent of glycerine (glycerol) in most soap, and manufacturers of liquid, potash, cold-made, and half-boiled soaps were permitted to leave as much as 2 75

percent of glycerol in the finished product.

Besides placing all soap producers on the same basis, the new order should result in increased production of glycerine needed for munitions manufacture and other direct military uses. Imports of many fats and oils from which glycerine is obtained have fallen off, while the needs for glycerine have increased. One of the principal war uses for glycerine is in explosives. It is also used in rubber, drugs, and pharmaceuticals, protective coatings for jeeps, planes, guns, tanks, etc., and in the hydraulic systems of many military weapons.

Other provisions of the order also are to encourage maximum production of glycerine. In addition to limiting the glycerine content of soap to 0.8 percent or less, the soap maker must recover not less than 92 percent of the glycerol con-

tent of the spent lye. In the fat splitting process (to break fats and oils into glycerine and fatty acids for industrial use), not less than 94 percent of the glycerine must be recovered. Refiners of crude glycerine are required to recover not less than 96 percent of the glycerol content.

The Food Distribution Order continues the exemption provisions of M-193 for persons using less than 10,000 pounds of fats and oils or fatty acids in a calendar month, food processors and manufacturers of lubricating grease and certain medicinal soaps. The order also permits the Director of Food Distribution to exempt, upon specific request, certain plants where the glycerine recovery is considered to be at its maximum although below the requirements of the order. A new provision exempts the manufacture of soap or fatty acids from domestic vegetable oil foots from the glycerine recovery requirements.

WAR FOOD ADMINISTRATION
Food Distribution Administration
Washington 25, D. C.

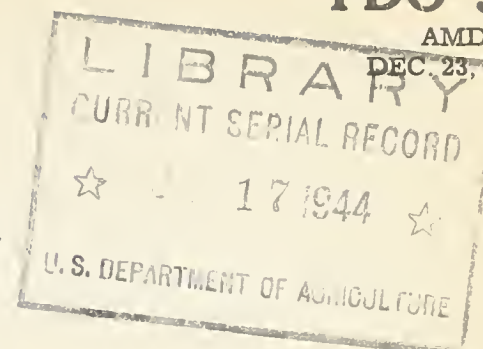
December 27, 1943

CORRECTION NOTICE: FDO-33 Amdt. 1, Fats and Oils

In printing Food Distribution Order 33 Amdt. 1 the following errors occurred:

Section 1450.2, (4) the word "and" should read "any" so the sentence will read: "The term "person" means any individual, partnership, association, business trust, corporation, or any organized group of persons, whether incorporated or not."

Section 1460.2 (b)(1) the word "oil" should read "oils" so the sentence will read: "Unless and except as specifically authorized by the Director, no commercial producer of glycerine shall use or consume any fats and oils except the saponification or hydrolyzation of fats and oils in soap making or fat splitting."



WAR FOOD ADMINISTRATION

[FDO 33, Amdt. 1]

PART 1460—FATS AND OILS

REQUIRED RECOVERY OF GLYCERINE

Food Distribution Order 33 (8 F.R. 3475), issued by the Acting Secretary of Agriculture on the 19th day of March 1943 is amended to read as follows:

§ 1460.2 *Glycerine recovery*—(a) *Definitions*. (1) The term “fats and oils” means all of the raw, crude, and refined fats and fatty oils and greases.

(2) The term “neutral fats or oils content” means that saponifiable portion of fats or oils at point of saponification or hydrolysis obtained by subtracting from the total weight of such fats and oils the sum of the following: free fatty acids, moisture, insoluble impurities, and unsaponifiables. Free fatty acids, moisture, insoluble impurities, and unsaponifiables shall be determined by the official methods of the American Oil Chemists Society.

(3) The term “fair average quality crude glycerine” means soap lye crude glycerine and saponification crude glycerine meeting the following specifications:

Soap lye crude glycerine:

Glycerol content—not less than 80%.

Ash—not more than 10%.

Organic Residue—not more than 2%.

Saponification crude glycerine:

Glycerol content—not less than 88%.

Ash—not more than 2%.

Organic Residue—not more than 1.5%.

Glycerol content, ash, and organic residue shall be determined by the official methods of the American Oil Chemists Society.

(4) The term “person” means and individual, partnership, association, business trust, corporation, or any organized group of persons, whether incorporated or not.

(5) The term “quarter” means any of the three month periods beginning on January 1, April 1, July 1, or October 1, of any year.

(6) The term “commercial producer of glycerine” means any person who in any quarter uses or consumes more than 150,000 pounds of fats and oils in soap making or fat splitting or in any other operation resulting in the release of glycerine from fats and oils. However, no person shall be construed as being a commercial producer of glycerine with respect to his operations in the sulfonating of fats and oils, the alkali or acid refining of fats and oils, the manufac-

ture of lubricating greases from fats and oils, or the processing of fats and oils for food.

(7) The term “Director” means the Director of Food Distribution, War Food Administration.

(b) *Requirements with respect to the recovery of crude glycerine*. Subject to the provisions of (d) hereof:

(1) Unless and except as specifically authorized by the Director, no commercial producer of glycerine shall use or consume any fats and oils in any operation resulting in the release of glycerine from fats and oils except the saponification or hydrolyzation of fats and oil in soap making or fat splitting.

(2) No commercial producer of glycerine shall saponify or hydrolyze fats and oils in soap making or fat splitting unless:

(i) Where glycerine is released by the saponification of the fats and oils (soap making), the average amount (computed for the production of each quarter) of glycerol (both free and combined) remaining in the finished product, not considering glycerine produced from commercial fatty acids, vegetable oil foots, or fats and oils used or consumed pursuant to the provisions of (d) hereof, shall not be more than 1%, calculated on the anhydrous soap basis of that portion of the soap which is derived from fats and oils, but exclusive of any portion of the soap which may be made from rosin, commercial fatty acids, vegetable oil foots, tall oil, and fats and oils used or consumed pursuant to the provisions of (d) hereof, and not less than 92% of the glycerol content of the spent lyes shall be recovered as crude glycerine (100% glycerol basis). The glycerol content of such spent lyes shall be considered to be the glycerol theoretically contained in the neutral fats or oils content of the stock originally used, less the maximum amount of glycerol permitted in the soap, and less the amount of glycerine in fats and oils used or consumed pursuant to the provisions of (d) hereof, and

(ii) Where the glycerine is released by the hydrolysis of fats and oils (fat splitting), the average split (computed for the production of each quarter) shall be not less than 95% complete. Not less than 94% of the glycerol content of the glycerine sweet water resulting from such splitting process shall be recovered as crude glycerine (100% glycerol basis). The glycerol content of such sweet water shall be considered to be the glycerol theoretically contained in the neu-

tral fat or oil content of the stock originally used, less the maximum permitted amount (based on 95% split) of glycerol contained in the split fat or oil, and less the quantity of glycerine present in fats and oils used or consumed pursuant to the provisions of (d) hereof.

(c) *Required standard of refining crude glycerine*. No person shall refine fair average quality crude glycerine, unless at least 96% of the glycerol content of the crude glycerine shall be recovered as refined glycerine (100% glycerol basis).

(d) *Exceptions*. The restrictions of (b) (2) hereof shall not apply to:

(1) The use or consumption of fats and oils by any commercial producer of glycerine in any of the following operations:

(i) The manufacture of the following medicinal soaps: U. S. P. XII, to fill orders for medicinal use only; sapomollis medicinalis; linimentum saponis mollis; or liquor cresolis saponatus;

(ii) The manufacture of soft soap, hospital grade, according to United States Army specification No. 4-1027A (February 5, 1941) for delivery to the United States Army;

(iii) The manufacture of U. S. P. XII soap, for use in denaturing Formula 27B alcohol; or

(iv) The manufacture of soap or fatty acids from raw or acidulated domestic vegetable oil foots.

(2) The use or consumption of a quantity of fats and oils not in excess of 150,000 pounds in any quarter by any commercial producer of glycerine. This exception shall be in addition to the exceptions provided for in (d) (1) hereof.

(e) *Records and reports*. (1) Unless otherwise ordered by the Director:

(i) Any refiner of glycerine, regardless of the amount refined,

(ii) Any commercial producer of glycerine, and

(iii) Any person who, in any quarter, saponifies or hydrolyzes more than 150,000 pounds of fats and oils, and fatty acids, even though all or a part of such fatty material may not bear glycerine,

shall report his recovery of glycerine for each quarter to the Director of Food Distribution, War Food Administration, Washington 25, D. C., Ref. FDO 33, on or before the twentieth day of the succeeding quarter on Form FDO 33-1 (Revised 12-18-43), in accordance with the instructions on such form. Every person who is both a producer of crude glycerine

and a refiner of crude glycerine shall file a separate report in each capacity, except that a refiner who refines only his own production of crude glycerine may make a single report covering both production and refining.

(2) Every person subject to this order shall maintain such records for at least two years (or for such other periods of time as the Director may designate), and shall execute and file such other reports upon such forms and submit such information as the Director may from time to time request or direct, and within such times as he may prescribe.

(3) The record-keeping and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Subsequent record-keeping or reporting requirements will be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(f) *Contracts.* The restrictions of this order shall be observed without regard to contracts heretofore or hereafter entered into, or any rights accrued, or payments made thereunder.

(g) *Effect on other orders.* Where different standards of recovery are imposed by this order and any other government order or orders, the provisions of the order requiring the highest glycerine recovery shall control.

(h) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship on him, because he is unable to recover the required amount of glycerine with the facilities he has or may be reasonably expected to secure or utilize, or for any other reason, may file a petition for relief in writing with the Director, addressed as follows: Director of Food Distribution, War Food Administration, Washington 25, D. C., Ref.

FDC-33. Such petition shall set forth all pertinent facts and the nature of relief sought. The Order Administrator of this order shall then act upon the petition. In the event that the petitioner is dissatisfied with the action taken by the Order Administrator, he may request a review of such action by the Director whose decision with respect to the relief sought shall be final.

(i) *Violations.* The War Food Administrator may, by suspension order, prohibit any person who violates any provision of this order from receiving, making any deliveries of, or using glycerine, or any other material subject to priority or allocation control by the War Food Administrator, and may recommend that any such person be prohibited from receiving, making any deliveries of, or using materials subject to the priority or allocation control of other governmental agencies. In addition, any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Further, civil action may be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(j) *Audits and inspections.* The Director shall be entitled to make such audit or inspection of the books, records and other writings, premises or stocks of glycerine of any person, and to make such investigations, as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order.

(k) *Communications.* All reports required to be filled hereunder and all communications concerning this order shall, unless instructions to the contrary are issued by the Director, or otherwise provided herein, be addressed to the Director of Food Distribution, War Food Administration, Washington 25, D. C., Ref. FDO-33.

(l) *Delegation of authority.* The administration of this order and the powers vested in the War Food Administrator, insofar as such powers relate to the administration of this order, are hereby delegated to the Director, and may be redelegated by him to any employee of the United States Department of Agriculture.

(m) *Territorial extent.* This order shall apply only in the forty-eight States of the United States, and the District of Columbia.

(n) *Conservation Order M-193 superseded.* This order supersedes in all respects Conservation Order M-193 (7 F.R. 9128) of the War Production Board, except that as to violations of said order or rights accrued, liabilities incurred, or appeals taken under said order prior to the effective date hereof, said conservation order shall be deemed in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability. Any appeal pending under said conservation order shall be considered under paragraph (h) hereof.

(o) *Effective date.* This amendment shall become effective on the 1st day of January 1944, at 12:01 a. m., e. w. t. However, with respect to violations of Food Distribution Order 33, or rights accrued or liabilities incurred thereunder, prior to said date, said Food Distribution Order 33 shall be deemed in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 23d day of December 1943.

ASHLEY SELLERS,
Assistant War Food Administrator.

War Food Administration, Summary to Food Distribution Order 33, Amend. 1.

The Nation's smaller volume soap manufacturers, those using a maximum of 150,000 pounds of fats and oils per quarter, will be exempt from glycerine recovery restrictions and reporting requirements after January 1, 1944 under liberalized regulations issued by the War Food Administration.

Because of an improved position in glycerine and of the difficulty experienced by the smaller producers in complying

with the present order, the quantity of fats and oils, and fatty acids, permitted in soap making without recovery restrictions has been increased—effective on that date—from 10,000 per month to 150,000 pounds per quarter.

In addition, an amendment to the glycerine recovery order—Food Distribution Order No. 33, raises the permitted glycerine content of soap from 0.8 to 1 percent.

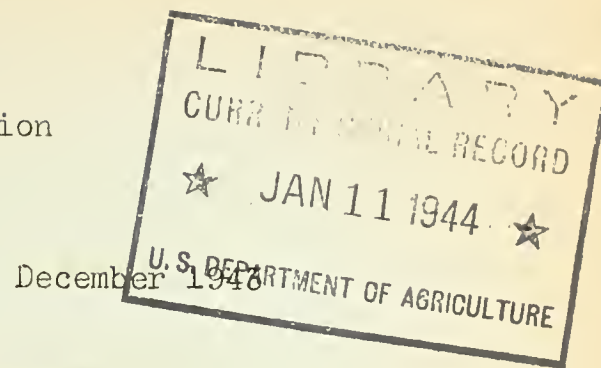
The original order exempted producers using up to 10,000 pounds of fats and oils per month, but required producers

using more than 10,000 pounds to recover glycerine (when present) from the entire quantity used. The amendment, however, frees 150,000 pounds per quarter from the restrictions and makes the recovery mandatory from only the quantity used above that figure.

The amendment also simplified reporting requirements. Producers still affected by the order now are required to report quarterly instead of monthly the quantities of fats and oils and fatty acids used, and the quantities of glycerine recovered.

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WAR FOOD ADMINISTRATION
Food Distribution Administration
Washington 25, D. C.



December 1943

GLYCERINE
Food Distribution Order No. 33, Amendment 1

Questions and Answers

Food Distribution Order No. 33 was issued by the Food Distribution Administration March 19, 1943, to replace Order No. M-193 issued by the War Production Board. A recovery order, it was designed to provide needed glycerine for war production by requiring that the glycerine content of popular type soaps should be only 0.8 of 1 percent. Soap makers using 10,000 pounds of fats and oils or less per month were exempt from the recovery restrictions. The amendment raises the permitted glycerine content of soap to 1 percent, and exempts from recovery restrictions 150,000 pounds of fats and oils per quarter.

This statement, prepared for general distribution, is intended to supply the answers to many of the questions raised by the industry. For additional information, write to the Director of Food Distribution Administration, War Food Administration, Washington 25, D. C., Ref. FDO 33.

1. Q. Who is affected by Food Distribution Order No. 33 as amended?
 - A. All soap makers and fat splitters who use more than 150,000 pounds of fats and oils in a calendar quarter.
2. Q. Is a manufacturer of soap or fatty acids whose use of fats and oils exceeds 150,000 pounds in a calendar quarter permitted to use 150,000 pounds without recovering glycerine?
 - A. Yes.
3. Q. Is such a manufacturer permitted to raise the glycerine content of his soap or reduce the degree of split, by the quantity of fat he is permitted under this exemption?
 - A. Yes.
4. Q. How much glycerine is a soap maker permitted to leave in soap, assuming that he does not take advantage of the 150,000 pounds exemption?
 - A. One percent (on the basis of the anhydrous soap derived from fats and oils).

5. Q. Is a soap maker required to recover glycerine from all fats and oils used by him, or only the fats and oils used under his FDO No. 42 quota?
 - A. He is required to recover glycerine from all fats and oils above the exempt quantity.
6. Q. What is the meaning of the words "average amount (computed for the production of each quarter) of glycerol"?
 - A. This means that the required percentage of glycerine may be calculated on an average of the manufacturer's production during the entire quarter. Under this provision, he may make several types of soap of varying glycerine content, some above 1 percent, and others below, if the weighted average is not above 1 percent.
7. Q. What is the meaning of "average split (computed for the production of each quarter)"?
 - A. This means that the fat splitter may calculate his splitting operations on the basis of his average production for the quarter and that the individual batches may vary above or below 95 percent, if the weighted average is not less than 95 percent.
8. Q. Who is required to file reports under this order?
 - A. Any refiner of glycerine regardless of the quantity refined. Any person who saponifies or hydrolyzes more than 150,000 pounds of fats, oils, or fatty acids in a calendar quarter even though all or part of his raw materials may contain no glycerine.